

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR07-275-MJP
)
Plaintiff,)
)
v.)
) DETENTION ORDER
RICHARD A. ORTIZ,)
)
Defendant.)
_____)

Offense charged: Possession of Methamphetamine with Intent to Distribute, Possession of
a Firearm in Furtherance of a Drug Trafficking Crime, Felon in Possession
of a Firearm

Date of Detention Hearing: August 8, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably assure
the appearance of defendant as required and the safety of other persons and the community.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with the offense of possession of Methamphetamine with Intent to Distribute. The maximum penalty of this offense is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. §3142(e).

2. Defendant has a criminal history that includes numerous failures to appear and failures to comply with community supervision. There is an active no-bail warrant from Pierce County. He lacks a stable employment history and is alleged to be a user of illegal substances.

3. Taken as a whole, the record does not effectively rebut the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

It is therefore ORDERED:

(1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correction facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

(2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;

(3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility in which defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 8th day of August, 2007.

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06 Mary Alice Theiler
07 United States Magistrate Judge
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